

1 Introduced by Council Member Freeman:
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4 **ORDINANCE 2023-388**

5 AN ORDINANCE AMENDING SECTION 602.408 (LOBBYING,
6 EMPLOYMENT OR CONSULTING BY APPOINTED OFFICIALS
7 REQUIRED TO FILE FORM 1 FINANCIAL DISCLOSURES;
8 PROHIBITION), SUBPART A (CONFLICTING
9 RELATIONSHIPS), PART 4 (CONFLICTS OF INTERESTS),
10 CHAPTER 602 (JACKSONVILLE ETHICS CODE), *ORDINANCE*
11 *CODE*, TO PROHIBIT LOBBYING, EMPLOYMENT OR
12 CONSULTING FOR COMPENSATION BY CERTAIN FORMER
13 APPOINTED EMPLOYEES FOR A PERIOD OF 2 YEARS AFTER
14 VACATING THEIR POSITION; REQUESTING ONE CYCLE
15 EMERGENCY PASSAGE; PROVIDING FOR AN EFFECTIVE
16 DATE.
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18 **WHEREAS**, Chapter 112, Part III, *Florida Statutes*, outlines the
19 code of ethics for public officers and employees in the state of
20 Florida; and

21 **WHEREAS**, Section 112.313(14), *Florida Statutes*, provides a
22 prohibition against elected officials personally representing another
23 person or entity (lobbying) for compensation before the governing body
24 or agency of which the person was an officer for a period of 2 years
25 after they leave office; and

26 **WHEREAS**, Section 112.313(13), *Florida Statutes*, authorizes the
27 governing body of a county or municipality to adopt an ordinance to
28 establish a similar 2-year prohibition against lobbying for
29 compensation by appointed county or municipal officials or employees,
30 except for collective bargaining matters; and

31 **WHEREAS**, Section 112.326, *Florida Statutes*, further authorizes a

1 local governing body, by ordinance, to impose more stringent standards
2 of conduct and disclosure requirements on its own officers and
3 employees than those required under state law; and

4 **WHEREAS**, on April 14, 2020, pursuant to Ordinance 2020-160-E, the
5 City Council approved revisions to the City's Ethics Code (Chapter
6 602, *Ordinance Code*) to prohibit lobbying, employment or consulting
7 for compensation by former appointed officials required to file Form
8 1 Financial Disclosures to the board, commission, committee, council
9 or authority of which the person was an appointed official for a period
10 of 2 years after vacating that position; and

11 **WHEREAS**, the City Council desires to extend this prohibition to
12 include certain appointed employees of the City of Jacksonville as
13 more specifically outlined herein; and

14 **WHEREAS**, the City Council recognizes enforcement of this local
15 prohibition for certain appointed employees of the City of Jacksonville
16 is not within the jurisdiction of the Commission on Ethics and a
17 violation of these provisions would not constitute a violation of the
18 State Code of Ethics (Commission on Ethics Opinion 07-19); now
19 therefore

20 **BE IT ORDAINED** by the Council of the City of Jacksonville:

21 **Section 1. Amending Section 602.408 (Lobbying, Employment or**
22 **Consulting by former appointed officials required to file Form 1**
23 **Financial Disclosures; Prohibition), Subpart A (Conflicting**
24 **Relationships), Part 4 (Conflicts of Interest), Chapter 602**
25 **(Jacksonville Ethics Code), *Ordinance Code*.** Section 602.408 (Lobbying,
26 Employment or Consulting by former appointed officials required to
27 file Form 1 Financial Disclosures; Prohibition), Subpart A (Conflicting
28 Relationships), Part 4 (Conflicts of Interest), Chapter 602
29 (Jacksonville Ethics Code), *Ordinance Code*, is hereby amended to read
30 as follows:

31 **CHAPTER 602. JACKSONVILLE ETHICS CODE**

1 * * *

2 PART 4. - CONFLICTS OF INTEREST

3 SUBPART A. - CONFLICTING RELATIONSHIPS

4 * * *

5 Sec. 602.408. - Lobbying, Employment or Consulting by former
6 appointed officials required to file Form 1 Financial Disclosures and
7 certain appointed employees; Prohibition.

8 A person who has been appointed to any county, municipal, or
9 state, Board, Commission, Committee, Council or authority may not
10 personally benefit or represent another person or entity for
11 compensation before the Board, Commission, Committee, Council or
12 Authority of which the person was an appointed official required to
13 file Form 1 Financial Disclosures for a period of 2 years after vacating
14 that office. ~~For purposes of this section, "personally benefit" is~~
15 ~~intended to mean directly benefit financially and~~ This includes such
16 scenarios as employment with the Board, Commission, Committee, Council
17 or Authority, or retention/engagement by the Board, Commission,
18 Committee, Council or Authority for consulting or lobbying on its
19 behalf, or contracted or employed or retained by a third party for
20 consulting or lobbying services for interaction with the Board,
21 Commission, Committee, Council or Authority. For purposes of this
22 section an "Appointed Official" is defined in Section 602.201,
23 Ordinance Code. This section shall apply to all Appointed Officials
24 subject to Form 1 Financial Disclosures filing requirements appointed
25 or reappointed on or after April 14, 2020.

26 In addition, appointed employees of the Mayor's Office, except
27 persons employed solely in maintenance, clerical, secretarial or
28 similar positions, may not personally benefit or represent another
29 person or entity for compensation before the City Council, or any
30 Board, Commission, Committee, Council or Authority of the City of
31 Jacksonville for a period of 2 years after vacating his/her position.

1 This includes, but is not limited to, such scenarios as
2 retention/engagement by the City or any of its independent agencies
3 for consulting or lobbying on its behalf, or contracted or employed or
4 retained by a third party for consulting or lobbying services for
5 interaction with the City Council, or any Board, Commission, Committee,
6 Council or Authority of the City or any of its independent agencies.

7 For purposes of this Section, "personally benefit" is intended
8 to mean directly benefit financially.

9 **Section 2. Requesting One Cycle Emergency Passage Pursuant**
10 **to Council Rule 4.901 Emergency.** One cycle emergency passage of this
11 legislation is requested. The nature of the emergency is that the
12 Council would like to provide as much advance notice to affected
13 appointed employees as possible.

14 **Section 3. Effective Date.** This Ordinance shall become
15 effective upon signature by the Mayor or upon becoming effective
16 without the Mayor's signature.

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18 Form Approved:

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20 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation prepared by: Mary E. Staffopoulos

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